

AN ORDINANCE approving the awarding of Reference #5050 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and ALLEN COUNTY MOTORS, INC. for COMMUNITY AND ECONOMIC DEVELOPMENT/HANDS.

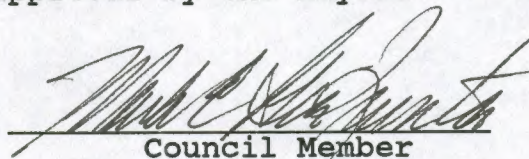
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #5050 between the City of Fort Wayne, by and through its Department of Purchasing and ALLEN COUNTY MOTORS, INC. for COMMUNITY & ECONOMIC DEVELOPMENT/HANDS, respectfully for:

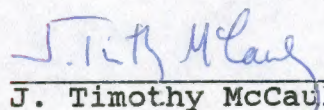
the purchase of a 1993 Ford Ranger Light Duty Pick-up Truck for Community and Economic Development/Hands;

involving a total cost of Eleven Thousand Six Hundred Seventy-Eight and no/100 Dollars (\$11,678.00), all as more particularly set forth in said Reference #5050, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Council Member

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCauley, City Attorney

REF NO.: 5050

DEPT.: C & ED / Hands

DATE: 10/23/92

ITEM/SERV.: Purchase of 1993 Ford Ranger Light Duty Pick-up

PURCHASING INFORMATION

ADVERTISED BID: Yes

DATES ADVERTISED: 9/14/92 & 9/21/92

OPENING DATE: 10/1/92

WRITTEN QUOTE: No

DUE DATE:

VERBAL QUOTE: No

SINGLE SOURCE: No

NO. OF VENDORS NOTIFIED: 16

NO. OF VENDORS RECEIVING BID: 1

NO. OF VENDORS RETURNING BID: 1

NO. OF VENDORS DISQUALIFIED: 0

NO. OF VENDORS NOT RESPONDING: 15

DATE SENT TO DEPT. FOR RECOMM.: 10/02/92

DATE RECOMM. REC'D IN PURCH.: 10/15/92

COUNCIL INFORMATION

DATE INFOR SENT TO LAW DEPT.: 10/23/92

INTRODUCTION DATE: 10/27/92

DISCUSSION DATE: 11/10/92

PASSAGE DATE: 11/17/92

ORDINANCE NO.:

AMOUNT APPROVED AND/OR SPENT LAST YEAR:
(IF APPLICABLE)

REFERENCE NO. 5050
1993 Light Duty Pick-Up Truck
C & ED / HANDS

DESCRIPTION	QTY	A C MOTORS
1993 FORD RANGER LIGHT DUTY PICK-UP	1	\$11,678.00
DISCOUNT		INCLUDED
DELIVERY		60 DAYS

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE October 1, 1992 BID REFERENCE # 5050

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR _____
(1) New 1993 Model Pick-up Truck per specifications.

(1) New 1993 Light Duty Pick-up Truck per specifications.

AND REQUESTED BY City Utilities Garage

THIS BID REQUIRES A xxx 5% BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____%
IF PAID WITHIN _____ DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Allen County Motors, Inc.

STREET ADDRESS 2300 W. JEFFERSON BLVD.

CITY FT. WAYNE PHONE # 219-432-9545

BY Lemnis Miller Fleet Manager
REPRESENTATIVE SIGNATURE

SPECIFICATIONS FOR ONE (1) NEW 1993 LIGHT-DUTY PICK-UP TRUCK INCLUDING ALL STANDARD EQUIPMENT AS LISTED IN THE MANUFACTURER'S LITERATURE UNLESS SUPERSEDED BY ANY OF THE FOLLOWING SPECIFICATIONS LISTED HEREIN. ANY EXCEPTIONS TO THE SPECIFICATIONS OR WARRANTY MUST BE STATED:

		MEET SPECS
1. YEAR:	1993	<u>yes</u>
2. MODEL:	2 WHEEL DRIVE LIGHT DUTY PICK-UP	<u>yes</u>
3. ENGINE:	V-6	<u>yes</u>
4. TRANSMISSION:	AUTOMATIC	<u>yes</u>
5. STEERING:	POWER RACK & PINION	<u>yes</u>
6. WHEEL BASE:	111 INCHES	<u>yes 114"</u>
7. BRAKES:	POWER ASSIST FRONT, DISC/REAR DRUM <i>w/ REAR wheel AntiLock</i>	<u>yes</u>
8. AIR CONDITIONER:	FACTORY-INSTALLED	<u>yes</u>
9. REAR STEP BUMPERS:	FACTORY-INSTALLED	<u>yes</u>
10. PAINT:	STANDARD PRODUCTION COLOR	<u>yes</u>
11. INTERIOR:	CLOTH SEATS <i>split Bench</i>	<u>yes 60/40</u>
12. RADIO:	AM/FM RADIO WITH CLOCK	<u>yes Stereo</u>
13. RUSTPROOFING:	ON OR AFTER DELIVERY DATE, PER FED-STD-297D DATED OCTOBER 1, 1985	<u>Z-BART</u>
14. TRUCK BED:	6.5 FEET	<u>yes</u>
15. MANUALS:	ONE SERVICE MANUAL FOR EACH VEHICLE	<u>yes</u>
12. WARRANTIES:	GIVE DESCRIPTION OF ALL WARRANTIES AND COMPONENT WARRANTIES AVAILABLE	<u>CASE WARRANTY 36 months/36,000 Miles</u>
	FOB: FORT WAYNE	<u>Other Attached & AVAIL AT EXTRA COST</u>
	MAKE: <i>FORD Pickup</i>	<u>1993 Ford</u>
	MODEL: <i>Ranger</i>	<u>Ranger</u>
	COST:	<u>\$included</u>
	LESS DISCOUNT:	<u>\$included</u>
	TOTAL:	<u>Net Price each \$11,678.⁰⁰</u>
	DELIVERY TIME ARO:	<u>Approx. 60 Days</u>
	VALIDITY OF BID PRICE: (IN CALENDAR DAYS)	<u>45 Days</u>

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: 10-1-92
 1. Governmental Unit: CITY OF FT. WAYNE
 2. County: ALLEN
 3. Bidder (Firm): ALLEN COUNTY MOTORS, INC.
 Address: 2300 W. JEFFERSON BLVD.
 City/State: FT. WAYNE, IN 46803
 4. Telephone Number: 219-432-9545
 5. Agent of Bidder (if applicable): DENNIS MILLER

Pursuant to notices given, the undersigned offers bid(s) to CITY OF FT. WAYNE (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

Dennis Miller Flt Mgr.
Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount
New 1993 Ford	Ranger	Pickup	Net Price Each	\$11,678. ⁰⁰	

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
) SS:
ALLEN COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

Allen County Motors, Inc.
Bidder (Firm)

Dennis Miller Flt Mgr.
Signature of Bidder or Agent

Subscribed and sworn to before me this 1 day of Oct, 1992.

My Commission Expires: 8-17-93

County of Residence: ALLEN

Joan Weaver
Notary Public

JOAN WEAVER
Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members:

Date: _____

BID OF

Allen County Motors, Inc.
(Contractor)

2300 W. Jefferson Blvd.
(Address)

FT. Wayne, IN 46803

FOR SALE OR
LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)

FILED

19

THIS BID ACCEPTED FOR THE
FOLLOWING CLASSES OR ITEMS

this day of 19

P.O. No.

Date

IF NO PART OF BID IS ACCEPTED, WRITE
THE WORD "REJECTED" ACROSS FACE

Fidelity and Deposit Company

HOME OFFICE

OF MARYLAND

BALTIMORE, MD. 21203

BID BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, ALLEN COUNTY MOTORS, INC.2300 W. Jefferson Blvd.Fort Wayne, IN 46804

as Principal, (hereinafter called the "Principal"), and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, of Baltimore, Maryland, a corporation duly organized under the laws of the State of Maryland, as Surety, (hereinafter called the "Surety"), are held and firmly bound unto CITY OF FORT WAYNE

One Main StreetFort Wayne, IN 46802

as Obligee, (hereinafter called the "Obligee"), in the sum of Five Percent (5%) of Contractors Maximum Bid Dollars (\$-----), for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for BR#5050: New 1993 Ford Ranger

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a contract with the Obligee in accordance with the terms of such bid and give such bond or bonds as may be specified in the bidding or contract documents with good and sufficient surety for the faithful performance of such contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter into such contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 1st day of October A.D. 1992

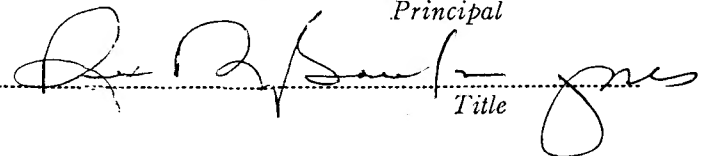


Witness

ALLEN COUNTY MOTORS, INC.

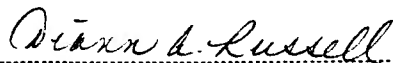
(SEAL)

Principal



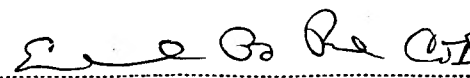
Title

FIDELITY AND DEPOSIT COMPANY OF MARYLAND
Surety



Diann A. Russell

Witness

By  (SEAL)

Edward B. Rice

Title

Attorney-in-Fact

Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

HOME OFFICE, BALTIMORE, MD

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by C. M. PECOT, JR., Vice-President, and C. W. ROBBINS, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint Duane E. Lupke, Donald L. Corley, Edward B. Rice, Virginia T. Axson, Gerald Clancy and Judith A. Snyder, all of Fort Wayne, Indiana, EACH.....

its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings.....

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of Duane E. Lupke, et al., dated, October 1, 1987.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 24th day of July, A.D. 1990

ATTEST:



FIDELITY AND DEPOSIT COMPANY OF MARYLAND

C. W. Robbins
Assistant Secretary

By

C. M. Pecot, Jr.
Vice-President

STATE OF MARYLAND
CITY OF BALTIMORE

ss:

On this 24th day of July, A.D. 1990, before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and qualified, came the above-named Vice-President and Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the City of Baltimore, the day and year first above written.



Carol Faden
Notary Public Commission Expires August 1, 1992

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 16th day of July, 1969.

RESOLVED: "That the facsimile or mechanically reproduced signature of any Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this 1st day of October, 1992.

044-2987

J. Gregory Hamilton
Assistant Secretary

EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

"Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages, . . . and to affix the seal of the Company thereto."

Read the first time in full and on motion by Don Quanta, seconded by Don Quanta, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on October 27, the 27 day of October, 1992, at 10 o'clock P.M., E.S.T.

DATED: 10-27-92

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Don Quanta, seconded by Don Quanta, and duly adopted, placed on its passage. PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>			
BRADBURY	<u>✓</u>			
EDMONDS	<u>✓</u>			
GiaQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 11-10-92

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. S-193-92 on the 10th day of November, 1992

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Thomas P. Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of November, 1992, at the hour of 1:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 17th day of November, 1992, at the hour of 8:15 o'clock P.M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR



MEMORANDUM

TO: City Council Members

FROM: Barbara L. Jones, Administrator, H.A.N.D.S., Inc.

SUBJECT: Truck Purchase

DATE: October 23, 1992

J-92-10-41

Background

This truck will be used by the HANDS Construction Staff to deliver paint to low and moderate income homeowners participating in the HANDS Exterior Paint Program from April through October. The truck will also be used for house inspections for our rehabilitation programs. HANDS Construction Staff inspects houses and prepares cost estimates and bid packets for contractors to correct code violations in these properties.

The full cost of the purchase will come from the CDBG program.

Reviewing Alternatives

If the truck is not purchased we will not be able to deliver paint to participating households in an efficient manner.

Recommendation

Staff recommends that this purchase request be approved.

ys

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the purchase of 1993 Ford Ranger Light Duty Pick-up Truck for C & ED / Hands. The cost reflects the lowest and most responsive vendor and should be awarded to Allen County Motors in the amount of \$11,678.00.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

EFFECT OF PASSAGE: This vehicle will be used for making housing inspections, pick-ups and deliveries of exterior paint for distribution to low income persons.

IF REPLACEMENT, WHAT NECESSITATES:

J-92-10-41

EFFECT OF NON-PASSAGE: This purchase is necessary due to increased workload in Housing & Neighborhood Development Services. We will receive additional federal funds from the HOME Program and Special Appropriation for housing that will increase our workload by 50%. This additional vehicle will allow more efficient use of existing staff resources.

PRIOR APPROVAL REQUESTED: NO DATE:

MONIES INVOLVED: Allen County Motors \$11,678.00

PRICE AGREEMENT: NO

PURCHASE ORDER: YES

ACCOUNT INFORMATION: 193-008-MRP8-4399
193-008-RRP8-4399
193-008-PTP8-4399
C & ED / Hands

PRIOR APPROVAL: DATE:
(IF APPLICABLE)

BILL NO. S-92-10-41

REPORT OF THE COMMITTEE ON
FINANCE

MARK E. GiaQUINTA, CHAIR
DONALD J. SCHMIDT, VICE CHAIR
EDMONDS, RAVINE

No Comm

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS

REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ approving the awarding
of Reference #5050 by the City of Fort Wayne, Indiana, by and
through its Department of Purchasing and ALLEN COUNTY MOTORS,
INC for COMMUNITY AND ECONOMIC DEVELOPMENT/HANDS

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) ~~(RESOLUTION)~~

DO PASS

DO NOT PASS

ABSTAIN

NO REC

QSL
Edmund
Edmonds

DATED: 11-10-92

Sandra E. Kennedy
City Clerk